

REMARKS

Claim 20 has been amended to more distinctly claim Applicants' invention. Claims 23-28, 30, 32, and 36 have been amended to correct informalities. Applicants respectfully reserve the right to present additional claims claiming the subject matter deleted from claims 23-28. No new matter has been introduced. Support for the amendment to claim 20 can be found in the specification on page 12, line 18, to page 13, line 5, and on page 13, line 22, to page 14, line 8.

THE REJECTIONS

(1) The Examiner has rejected claims 20, 23-28, 30, 32, and 36 under 35 U.S.C. 112, second paragraph. It is respectfully submitted that the amendments to claims 20, 23-28, 30, 32, and 36, have obviated this rejection. Reconsideration of the rejection is respectfully requested.

(2) The Examiner has rejected claims 20-39 under 35 U. S. C. 102(b) as being anticipated by Otera et al (USPN 6,114,496), EP 0 419 254, and Durand et al. This rejection is respectfully traversed.

It is respectfully submitted that the reference "Duran et al" is vague and unclear. It is respectfully requested that the Examiner provide more information clearly identifying the reference.

The present invention, as currently amended, relates to a catalytic composition useful for esterification, transesterification and polycondensation reactions, comprising a mixture of: (a) at least one organotin compound and (b) at least one hetero-compound.

Otera et al describe the use of a monoorganotin compound as a polymerization catalyst. Otera et al describe combining the hydroxycarboxylic acid and the monoorganotin compound in a polymerization reaction. Otera et al then states:

“Upon polymerization, a saccharide or metal oxide may be added as needed.”
(underlines added) See Column 5, lines 42-43.

Accordingly, Otera et al do not teach or suggest a catalytic composition comprising an organotin compound and a hetero-compound. Otera et al describe the use of a monoorganotin compound as a polymerization catalyst and then only after polymerization has begun, is the saccharide or metal oxide separately added. This is clearly a two step process requiring two separate compositions – first the monoorganotin catalyst and then afterwards the addition of the saccharide or metal oxide. In other words, Otera et al does not teach or suggest combining the monoorganotin catalyst and the saccharide or metal oxide together as a catalyst composition to be added to the polymerization reaction.

EP 0 419 254 describes the organotin catalysts useful in the production of polyesters and polyester-containing materials. EP 0 419 254 does not teach or suggest combining the organotin catalysts with the hetero-compound required in Applicants’ claimed invention.

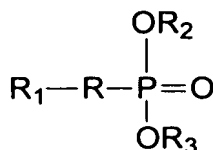
Accordingly, for the reasons recited above, it is respectfully submitted that the rejection of claims 20-39 under 35 U. S. C. 102(b) as being anticipated by Otera et al (USPN 6,114,496), EP 0 419 254, and Durand et al, is improper. Reconsideration of this rejection is respectfully requested.

(3) The Examiner has rejected claims 1-39 under 35 U.S.C. 102(e) as being anticipated by Otto et al (US2003/0018160). This rejection is respectfully traversed.

Claims 1-19 were previously canceled.

Applicants’ invention in claims 20-39, as presently amended, has been discussed above.

Otto et al describes a composition comprising as Component I a carrier substance on which at least one catalytically effective metal compound is adsorbed, and as Component II, one or more phosphonic acid compounds of the formula I:

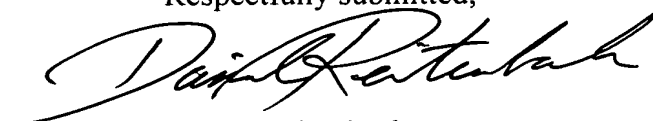


wherein, inter alia, at least two of the groups R₁, R₂ and R₃ must be hydrogen; or R is O, and R₁, R₂, and R₃ are all tris-trialkylene glycol groups.

It is respectfully submitted that Otto et al does not teach or suggest the Applicants' invention as presently claimed in claims 20-39. Reconsideration of this rejection is respectfully requested.

In light of the foregoing, reconsideration and allowance of the subject application are respectfully solicited.


Respectfully submitted,



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